

**FORM 26-IV: Enforcement Notification (Multiple Samples)**

(Date)  
EN YY-###

OFFICE OF ENFORCEMENT  
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Licensee:      (Name of Licensee)      (EA-YY-XXX)  
                  (Facility)  
                  Docket No. \_\_\_\_\_

**Sample 1:**

Subject:      EXERCISE OF ENFORCEMENT DISCRETION

This is to inform the Commission that the staff has issued today a letter exercising enforcement discretion to not issue enforcement action to (name of licensee). [Include a brief background discussion of the case and an explanation of why discretion is warranted. For example, "Licensee ABC was using a portable moisture density gauge at a location within the NRC's jurisdiction without first obtaining an NRC specific or general license. Although the failure to file reciprocity is normally cited as a Severity Level III violation, the staff concluded that the lack of clarity of a license condition within the licensee's Florida license contributed to the licensee's misinterpretation that it's Florida license permitted use of the licensed material anywhere in the State of Florida. Therefore, the staff concluded that enforcement discretion in accordance with Section VII.B.6 of the Enforcement Policy was appropriate."]

**Sample 2:**

Subject:      ORDER SUSPENDING LICENSE (EFFECTIVE IMMEDIATELY) AND DEMAND  
                  FOR INFORMATION

This is to inform the Commission that an Order Suspending License (Effective Immediately) and Demand for Information will be issued on or about (date), to (name of licensee). [Include a brief background discussion of the case and an explanation of why the action is warranted. For example, "This action is based on the licensee's deliberate violations of NRC safety requirements, as well as its deliberate provision of inaccurate information to the NRC. Specifically, an exposure injury occurred while this licensee was working in an Agreement State (Maryland) because a radiographer approached the device, while the source was in an exposed position, without a survey meter to evaluate the radiological conditions, and without wearing an alarming ratemeter. The resulting inspection and investigation of the licensee's activities under NRC jurisdiction found that (1) the radiographer, had not received required annual refresher training, nor taken the exam (an assistant radiographer completed the annual refresher exam for that radiographer); (2) the licensee certified the training, and provided the inaccurate information to NRC; (3) equipment was used that was known to be in an unsafe condition; and (4) inaccurate information was provided to NRC regarding the status of that equipment. An Office of Investigations (OI) investigation is still open. As a result of these actions on the part of the Licensee, the NRC lacks reasonable assurance that the Licensee's current operations can be conducted in compliance with the Commission's requirements, and that the health and safety of the public, including the Licensee's employees, will be protected. Accordingly, the NRC is issuing an immediately effective Order suspending (name of licensee)'s license, and a DFI to provide the Licensee the opportunity to describe why its license should not be modified or revoked."]

**Sample 3:**

Subject: CONFIRMATORY ORDER RELAXING ORDER  
(IMMEDIATELY EFFECTIVE)

This is to inform the Commission that a Confirmatory Order Relaxing the (date), Order will be issued today, (date), to (name of licensee). [Include a brief explanation of the original action that the Commission was informed of and an explanation of the current action. For example, "By EN-YY-NNN, dated (date), the Commission was informed that an Order Withdrawing Quality Assurance Approval was to be issued to (date). The relaxation will allow shipments to and from any customer until (date)."] ]

It should be noted that the licensee has not been specifically informed of the enforcement action. The schedule of issuance and notification is:

Mailing of Notice	<u>(Date)</u>
Telephone Notification of Licensee	<u>(Date)</u>

The State of \_\_\_\_\_ will be notified.

The licensee has thirty days from the date of the Notice in which to respond. Following NRC evaluation of the response, the civil penalty may be remitted, mitigated, or imposed by Order.

Contacts:\* (name), OE, 415-XXXX (Director), OE, 415-2741

\*ENs issued by the region should include the name of the regional contact and the Regional Administrator.

**Distribution**

OWFN _____	OWFN _____	TWFN _____	Regional Offices
Chairman _____	EDO	OCFO	RI _____ RIV _____
Comm. _____	DEDR	OP CTR	RII _____
Comm. _____	DEDMRS	NMSS	RIII _____
Comm. _____	OE	OCIO	
Comm. _____	OGC	OIG	<u><b>MAIL</b></u>
SECY	NRR	RES	<b>PUBLIC</b>
OCA	NSIR	ACRS	
PA	OI		
IP	STP		

**PRELIMINARY INFORMATION - NOT FOR PUBLIC DISCLOSURE UNTIL  
VERIFICATION THAT LICENSEE HAS RECEIVED ACTION**